

3.

None of the above references sites appear on the Archaeological Determinations of Eligibility (for the National Register) section of the Historic Properties Directory.

California Inventory of Historical Resources: Copied the index page that includes listings in the vicinity of the project areas.

Historic Maps (copied the pertinent sections of the following maps):

1859 GLO Flat Map, T7N, R4E
1856 GLO Flat Map, T12N, R2E
1857 Rancho Jesus Maria
1861 Rancho Jimeno Plat Map
1870 Map of Yolo County, California
1872 Map of Solano County, California
1908 USGS Courtland Quadrangle
1907 USGS Davisville Quadrangle
1907 USGS Woodland Quadrangle
1907 USGS Dunnigan Quadrangle

The following GLO maps did not show anything (usually "Swamp and Overflowed Land") in the vicinity of the project areas and were not copied:

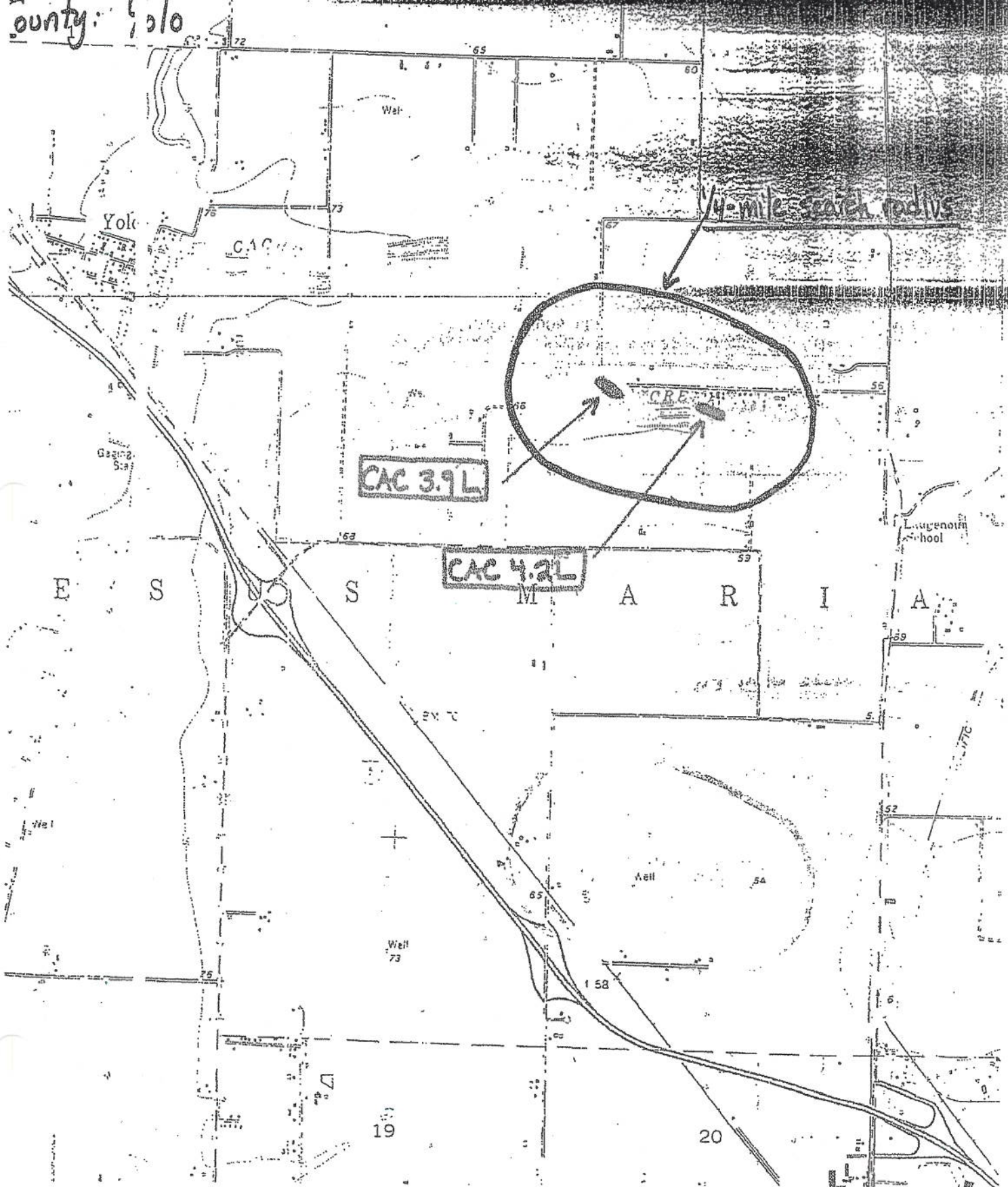
1863 & 1872 GLO Plat Maps, T10N, R3E
1858 & 1872 GLO Plat Maps, T9N, R3E
1871 GLO Flat Map, T9N, R4E
1870 GLO Flat Map, T11N, R3E
1858 GLO Flat Map, T10N, R2E

We do not have GLO maps for T5N, R4E or T5N, R3E.

Project: WR Level Reports

quad: Woodland Hill RA

County: Yolo



APPENDIX C

Concurrence Letter Issued by the State Historic Preservation Officer
on October 26, 2007

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

RECEIVED

OCT 31 2007



October 26, 2007

Derrick Adachi
Department of Water Resources
Division of Environmental Services
1723 23rd Street, Suite 220
Sacramento, CA 95816

RE: Cache Creek, Yolo County, Critical Levee Repair; LM 3.9 and LM 4.2

Dear Mr. Adachi:

Thank you for requesting my comments on the above cited project. The proposed project is to construct setback levees at two locations on the left bank of Cache Creek at the levee miles noted above. You seek my comments pursuant to Public Resource Code section 5024(f). My staff has reviewed the documentation you provided and I would like to offer the following comments.

A cultural resource inventory was conducted of the project area of potential effect. Ground visibility was described as being excellent. In addition, your archaeologists were present during the geological testing to observe subsurface soils for the presence of cultural resources. I concur that the cultural resource identification efforts were sufficient for the purposes for which they were intended.

The only cultural resource identified as the result of the inventory was the levee. As noted in your letter, the proposed project would leave the existing levee in place. You have concluded that this project would not have a significant effect on cultural resources. I concur with this conclusion.

Thank you again for providing my office the opportunity to comment on the proposed project. If my staff can be of any further assistance, please contact Dwight Dutschke at 916-653-9134.

Sincerely,

A handwritten signature in cursive script that reads "Susan K. Shattuck for".

Milford Wayne Donaldson, F.A.I.A.
State Historic Preservation Officer

APPENDIX D

Modeled Noise Levels

Appendix D

Project-Generated Construction Source Noise Prediction Model

Cache Creek North Levee Setback Project Critical Erosion Site Lm 3.9L and LM 4.2L

EDAW | AECOM

Location	Distance to Nearest Receiver in feet	Combined Predicted Noise Level (L _{eq} dBA)	Assumptions:	Reference Emission	
				Noise Levels (L _{max}) at 50 feet ¹	Usage Factor ¹
Threshold*	1200	51.8	Excavator	85	0.4
	50	88.1	Dozer	85	0.4
	100	80.2	Front End Loader	80	0.4
	150	75.5	Scraper	85	0.4
	200	72.2	Grader	85	0.4
	250	69.7	Dump Truck	84	0.4
	300	67.6			
	350	65.8	Ground Type	Soft	
	400	64.3	Source Height	5	
	450	63.0	Receiver Height	8	
	500	61.8	Ground Factor	0.63	
	550	60.7			
Predicted Noise					
		Level ²	L _{eq} dBA at 50 feet ²		
		Excavator	81.0		
		Dozer	81.0		
		Front End Loader	76.0		
		Scraper	81.0		
		Grader	81.0		
		Dump Truck	80.0		
		Combined Predicted Noise Level (L _{eq} dBA at 50 feet)			88.1

Sources:

¹ Obtained from the FHWA Roadway Construction Noise Model, January 2006.

² Based on the following from the Federal Transit Noise and Vibration Impact Assessment, 2006.

$$L_{eq}(\text{equip}) = E.L. + 10 * \log (U.F.) - 20 * \log (D/50) - 10 * G * \log (D/50)$$

Where: E.L. = Emission Level;

U.F. = Usage Factor;

G = Constant that accounts for topography and ground effects; and

D = Distance from source to receiver.

*Project specific threshold (Madera 1995)

APPENDIX E

Written Comments and Response to Comments

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 – SACRAMENTO AREA OFFICE

VENTURE OAKS – MS 15

P.O. BOX 942874

SACRAMENTO, CA 94274-0001

PHONE (916) 274-0635

FAX (916) 274-0648

TTY (530) 741-4509

*Flex your power!
Be energy efficient!*

November 18, 2008

08YOL0037

03-YOL-5 PM R11.444

Cache Creek North Levee Setback Project

Initial Study for a Proposed Mitigated Negative Declaration

SCH # 2008102072

Ms. Deborah Condon

Environmental Support Section

Department of Water Resources

Division of Flood Management

2825 Watt Avenue, Suite 100

Sacramento, CA 95821

Dear Ms. Condon,

Thank you for the opportunity to review and comment on the Initial Study for a Proposed Mitigated Negative Declaration for the Cache Creek North Levee Setback Project. This proposed project would construct two setback levees at critical erosion sites along the north bank of Cache Creek. The proposed project site is located southeast of the town of Yolo, and north of the City of Woodland. Our comments are as follows:

- A Transportation Management Plan (TMP) will be necessary for the construction personnel and materials using the State Highway System (SHS) to access the construction site north of Interstate 5 (I-5) and west of State Route 113 (SR 113). The TMP should be prepared for our review, and include appropriate strategies to mitigate traffic impacts to freeway interchanges, and I-5 and SR 113. The Caltrans TMP Guidelines can be accessed online at:
<http://www.dot.ca.gov/dist3/departments/planning/igr.htm>
For assistance, please contact Paul Wilkinson, the Caltrans' District 3 Traffic Manager (DTM) at (916) 859-7978.

Ms. Deborah Condon
November 18, 2008
Page 2

- An Encroachment Permit will be required for any work conducted in the State's right of way, such as sign placement, traffic control, culvert maintenance, drainage pattern changes, or road construction. A cost estimate for the work within the State's right of way will be reviewed to determine whether it triggers the need for a 'project funded by others' designation. To secure an application, please contact the Office of Encroachment Permits Central Desk at (530) 741-4403, or online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits> to request an Encroachment Permit Application.

Please provide our office with copies of any further actions regarding this development. If you have any questions about these comments please contact La Nae Van Valen at (916) 274-0637.

Sincerely,


ALYSSA BEGLEY, Chief

Office of Transportation Planning—South

DEPARTMENT OF WATER RESOURCES

DIVISION OF FLOOD MANAGEMENT

2825 WATT AVENUE, SUITE 100

P.O. BOX 219000

SACRAMENTO, CA 95821-9000



November 19, 2008

Alyssa Begley, Chief
Department of Transportation
District 3, Sacramento Area Office
P.O. Box 942874
Sacramento, CA 94274-0001

RE: Cache Creek North Levee Setback Project, Initial Study for a Proposed Mitigated
Declaration
SCH# 2008102072

Dear Ms. Begley,

This letter is written in response to your comments on the Cache Creek North Levee Setback Project Initial Study for a Proposed Mitigated Declaration dated November 18, 2008 and referenced as 08YOL0037, 03-YOL-5 PM R11.444.

The traffic pattern for the levee setback project will include a portion of State Route 113 as a haul route. DWR will include in the specifications for the construction contract that the contractor submit a Transportation Management Plan for construction personnel and materials to Caltrans for review and approval prior to commencement of project construction.

The levee construction project will occur on or adjacent to federal flood control levees and will not result in activities within any CalTrans (State) right-of-way. An Encroachment Permit should not be necessary for this project as proposed. However, if an action that requires a CalTrans Encroachment Permit is added to the project, a permit will be obtained prior to undertaking the activity.

Your comments provided for the initial study for a proposed mitigated negative declaration for the Cache Creek North Levee Setback Project are appreciated. If you have any questions regarding this response to your comments, please contact me at (916) 574-1426 or at dcondon@water.ca.gov.

Sincerely,

A handwritten signature in cursive script that reads "Deborah Condon".

Deborah Condon, Chief,
Environmental Support Section
Levee Repairs Branch
Department of Water Resources



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In reply refer to:
81420-2008-TA-0146-1

DEC 10 2008

Ms. Deborah Condon
Environmental Compliance Section
Department of Water Resources
2825 Watt Avenue, Suite 100
Sacramento, CA 95821

Subject: Review of the Proposed Cache Creek North Levee Setback Project, Yolo County, California

Dear Ms. Condon:

This is in response to the October 31, 2008, letter by the Department of Water Resources (DWR) requesting the U.S. Fish and Wildlife Service (Service) review the proposed Cache Creek Levee Setback project (project) in Yolo County for potential effects to the federally-listed species. At issue are the potential effects of the proposed project on the federally-threatened valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). Our primary concern and mandate is the protection of federally-listed species pursuant to the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) (Act).

Technical Assistance History

March 22, 2007. The Service, DWR, and the California Department of Fish and Game, participated in a site visit to Cache Creek where avoidance measures for valley elderberry longhorn beetle were discussed.

October 31, 2008. The Service received a letter from DWR requesting technical assistance on the Cache Creek Levee Setback Project at levee miles 3.9 left and 4.2 left and their avoidance measures for valley elderberry longhorn beetles.

Project Description

The proposed project is located on Cache Creek. Two sites are proposed for levee setback, one at levee mile (LM) 3.9 left bank and one at LM 4.2 left bank. The sites are located north of the city of Woodland and southwest of the town of Yolo. The proposed action includes construction of setback levees to provide levee stability at identified critical erosion sites.

The setback levee at LM 3.9 would be constructed approximately 215 feet north of the existing levee and would be 1,259 feet in length. The existing levee would be notched in two locations to allow drainage of the levee setback area back into Cache Creek. Each of these notches would be approximately 10 feet wide and would be degraded to the same elevation as the levee setback area.

The setback levee at LM 4.2 would be constructed approximately 90 feet north of the existing levee and would be 670 feet in length. The existing project levee would be notched at one point to allow drainage of the levee setback area back into Cache Creek. This notch would be approximately 10 feet wide and would be degraded to the same elevation as the levee setback area.

Material to construct the new setback levee would be obtained from Yolo County from the enlargement of an existing stormwater basin. Material was stockpiled about 5.5 miles from the project site.

The findings and recommendations in this consultation are based on: (1) the March 22, 2007, site visit; (2) the October 31, 2008, letter and accompanying initial study from DWR to the Service requesting technical assistance; and (3) other information available to the Service.

Elderberry shrubs (*Sambucus* sp.) are the obligate host plant for the valley elderberry longhorn beetle. The larvae of the beetle is usually distributed in elderberry stems that are one inch in diameter or greater at ground level. The larvae will typically create an exit hole in the stem just prior to the pupal stage; these emergence holes are usually observed in stems more than one inch in diameter at ground level. Four elderberry shrubs are present along the waterside of the levee at levee mile 3.9 and one elderberry shrub is located on the waterside of the levee at levee mile 4.2. Valley elderberry longhorn beetle exit holes were found on all of the shrubs. Multiple elderberry shrubs with stems greater than one-inch in diameter at ground level, are present within and surrounding the proposed project sites. All of the elderberry shrubs are considered to be part of the riparian vegetation.

Critical habitat has been designated for the beetle; however, the proposed project is not likely to destroy or adversely modify designated critical habitat for this species because its designated critical habitat is not within the proposed action area.

Avoidance Measures

The following measures will be implemented to avoid the potential for adverse effects to valley elderberry longhorn beetle. These measures have been incorporated into the construction specifications.

- A worker awareness training program for construction personnel will be conducted by a qualified biologist before construction activities begin. The program will inform all construction personnel about the life history and status of the beetle, the need to avoid damaging the elderberry plants, and the possible penalties for not complying with these requirements. Written documentation of the training will be submitted to the Service within 30 days of the completion of training.
- A water truck will be used to reduce the amount of dust in the construction area.
- Elderberry shrubs shall be protected through establishment of a fenced avoidance area. Fencing will be high visibility construction fencing and placed at least 20 feet from the dripline of the elderberry shrubs.

Take is defined as "... to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct." Harm has been further defined to include habitat destruction when it injures or kills a listed species by interfering with essential behavior patterns, such as breeding, feeding, foraging, or resting. "Harass" in this definition means "...an intentional or negligent act or omission that creates the significant likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering" (50 CFR §17.3). The term "person" is defined as "an individual, corporation, partnership, trust, association, or any other private entity; or any officer, employee, agent, department, or instrumentality of the Federal government, of any State, municipality, or political subdivision of a state, or any other entity subject to the jurisdiction of the United States."

Furthermore, the Service has determined that the project, as proposed, will not result in take of the valley elderberry longhorn beetle because: the project will maintain a 20-foot buffer from the dripline of all elderberry shrubs; dust suppression measures will be incorporated into the project design; the elderberry habitat will be fenced and identified as an area to avoid; and workers will be made aware of the elderberry habitat and the need to avoid it. The Service also determined that the proposed project will not result in the destruction or adverse modification of critical habitat because the project area is outside of the designated critical habitat for the valley elderberry longhorn beetle, and any other species within the jurisdiction of the Service.

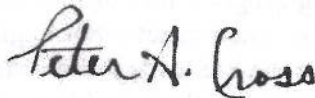
No further action pursuant to the Act is necessary unless new information reveals effects of the proposed action that may affect listed species in a manner or to an extent not considered; the action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in this determination; or a new species or critical habitat is designated that may be affected by the proposed action.

Mr. William O'Leary

4

If you have any questions regarding this response on the proposed Cache Creek Levee Setback Project, please contact Jennifer Hobbs or Jana Milliken, Sacramento Valley Branch Chief at (916) 414-6645.

Sincerely,

A handwritten signature in black ink that reads "Peter A. Cross". The signature is written in a cursive style with a large, stylized "P" and "C".

Peter A. Cross
Deputy Assistant Field Supervisor

cc:
Bill O'Leary, DWR, Sacramento, California